

In the United States District Court
Western District (Erie Division)

Edward Earl Thomas

Plaintiff

VS.

Commonwealth of PA.

Defendent (Respondent)

About case #

1248 of 2003

Civil No.

04-343 Erie

Petition to Proceed in Pro Se

To the Honorable Judge of the above
named Court: Susan Paradise Baxter

And now, the petitioner, Edward Earl Thomas
Pro Se, who respectfully represents the
following:

- (1) I, the petitioner, acknowledges that I'm
able to articulate to the court without
counsel.
- (2) I, the petitioner, has presented the facts
to the court and hence that the court
gratify, volitionally, freedom relief.

Received In Supreme Court

JAN 25 2007

Middle

FILED

JAN 30 2007

CLERK U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

RECEIVED

JAN 26 2007

U.S. DISTRICT COURT
WESTERN DISTRICT

(3) I, the petitioner, is in servitude at the state correctional institution at the below address, and prays amnesty.

Therefore, I request that the court will allow me to demonstrate the action and proceed to the court, in pro se, without payment of filing fees and cost.

Respectfully Submitted,
Mr. Edward Thomas # FP-1511
R.D. #10 Box 10
Greensburg, PA. 15601
June 20, 2006

Supreme Court of Pennsylvania

To: Clerk

Edward Thomas
FP-1511, SCI Coal Township
1 Kelley Drive
Coal Township, PA 17866-1021

Dear Clerk,

As you notice on your correspondence-the other dated January 18, 2007 with this was received. Please believe that the filings pertaining to the habeas corpus was already filed in the Western District. Some paperwork was sent to you from there. There were 2 other papers with my letter dated January 12, 2007; (1) Supreme Court response and the (U.S. Dept. of Justice you mentioned. Here enclosed with this is my handwritten copy of a procedure that was mailed back from that embassy. What more does it take to be courted in front of a Supreme Court Judge?

Have a splendid day!

January 21, 2007

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

EDWARD EARL THOMAS,)	
Petitioner,)	
)	
vs.)	C.A. No. 04-343 ERIE
)	
COMMONWEALTH OF PENNSYLVANIA,)	
Respondent.)	

RULE AND ORDER

AND NOW, this 8th day of December, 2004, after Edward Earl Thomas presented a petition for a writ of habeas corpus,

IT IS ORDERED that the United States Marshal shall make service of this order, together with a copy of the petition, upon the Respondent, the District Attorney of Erie County, and the Attorney General of the Commonwealth of Pennsylvania.

IT IS FURTHER ORDERED that within twenty days of service of this order, the respondent, and the District Attorney of Erie County, Pennsylvania shall respond to the allegations of the petition for writ of habeas corpus. The District Attorney shall address all of the following 1) the statute of limitations, 28 U.S.C. § 2254(d)(1)-(2);¹ 2) the exhaustion of state court remedies as required by 28 U.S.C. §§ 2254(b) and Picard v. Connor, 404 U.S. 270 (1971); Rose v. Lundy, 455 U.S. 509 (1982); United States ex. rel. Trantino v. Hatrack, 563 F.2d 86 (3d Cir. 1977); Zicarelli v. Gray, 543 F.2d 466 (3d Cir. 1976), with respect to each claim raised by

1. If Respondents are certain that AEDPA's Statute of Limitations does not apply, they need not address this issue. However, failure to address this issue may result in waiver of this defense.

the Petitioner and, if appropriate, whether any of the claims were procedurally defaulted, and 3) the merits of the petition. The answer shall comply with Rule 5 of the Rules Governing Section 2254 cases in the United States District Courts. The District Attorney shall furnish this court with the state court records, including all transcripts, all briefs filed by the Petitioner, and all written opinions of the state courts/agencies as well as certified copies of the docket sheets of all the state courts/agencies involved.

IT IS FURTHER ORDERED that the parties are allowed ten (10) days from this date to appeal this order to a district judge pursuant to Rule 72.1.3(B) of the Local Rules for Magistrates. Failure to appeal within ten (10) days may constitute waiver of the right to appeal.


SUSAN PARADISE BAXTER
United States Magistrate Judge

cc: Edward Earl Thomas FP-1511
SCI Greensburg
R.D. #10, Box 10
Greensburg, PA 15601

District Attorney of Erie County
Attorney General of Pennsylvania